

**EIGHTY-SEVENTH GENERAL ASSEMBLY  
2018 REGULAR SESSION  
DAILY  
SENATE CLIP SHEET**

**April 5, 2018**

**Clip Sheet Summary**

Displays all amendments, fiscal notes, and conference committee reports for previous day.

<b>Bill</b>	<b>Amendment</b>	<b>Action</b>	<b>Sponsor</b>
<a href="#">SF 481</a> .....	<a href="#">S-5216</a> .....	Concurred	RECEIVED FROM THE HOUSE
<a href="#">SF 481</a> .....	<a href="#">S-5227</a> .....	Lost	DAVID JOHNSON
<a href="#">SF 481</a> .....	<a href="#">S-5228</a> .....	Lost	DAVID JOHNSON
<a href="#">SF 2320</a> .....	<a href="#">S-5218</a> .....	Adopted	MARK CHELGREN
<a href="#">SF 2394</a> .....	<a href="#">S-5219</a> .....	Adopted	DAN DAWSON
<a href="#">SF 2394</a> .....	<a href="#">S-5223</a> .....	Adopted	ROBERT M. HOGG
<a href="#">SF 2394</a> .....	<a href="#">S-5224</a> .....	Adopted	ROBERT M. HOGG
<a href="#">SF 2394</a> .....	<a href="#">S-5225</a> .....	Lost	ROBERT M. HOGG
<a href="#">SF 2398</a> .....	<a href="#">S-5215</a> .....	Adopted	TOM SHIPLEY
<a href="#">SF 2398</a> .....	<a href="#">S-5220</a> .....	Adopted	TOM SHIPLEY
<a href="#">HF 2234</a> .....	<a href="#">S-5229</a> .....	Filed	RECEIVED FROM THE HOUSE
<a href="#">HF 2280</a> .....	<a href="#">S-5222</a> .....	Filed	TOD R. BOWMAN
<a href="#">HF 2372</a> .....	<a href="#">S-5221</a> .....	Withdrawn	MARK CHELGREN
<a href="#">HF 2372</a> .....	<a href="#">S-5226</a> .....	Adopted	MARK CHELGREN
<a href="#">HF 2442</a> .....	<a href="#">S-5217</a> .....	Adopted	AMY SINCLAIR

**Fiscal Notes**

[SF 2398](#) — [Industrial Hemp](#) (LSB2172SV)

HOUSE AMENDMENT TO  
SENATE FILE 481

S-5216

- 1     Amend Senate File 481, as amended, passed, and reprinted by  
2 the Senate, as follows:
- 3     1. Page 1, by striking lines 2 through 6 and inserting:  
4     <\_\_\_\_. "*Immigration detainer request*" means a written federal  
5 government request to a local entity to maintain temporary  
6 custody of an alien, including a United States department  
7 of homeland security form I-247 or a similar or successor  
8 form. "*Immigration detainer request*" includes only written  
9 federal government requests that are accompanied by any of the  
10 following properly completed forms or similar or successor  
11 forms, if such forms or similar or successor forms are signed  
12 by an authorized United States immigration and customs  
13 enforcement officer:
- 14     a. United States department of homeland security form I-200.  
15     b. United States department of homeland security form  
16 I-205.>
- 17     2. Page 3, line 21, by striking <2018,> and inserting  
18 <2019,>
- 19     3. Page 4, line 16, by striking <or a county attorney>
- 20     4. Page 4, lines 21 and 22, by striking <or county attorney>
- 21     5. Page 4, lines 24 and 25, by striking <or county attorney>
- 22     6. Page 4, line 27, by striking <or county attorney>
- 23     7. Page 4, line 30, by striking <or county attorney>
- 24     8. Page 4, line 32, by striking <or county attorney>
- 25     9. Page 5, line 4, by striking <or county attorney>
- 26     10. Page 5, line 6, by striking <or county attorney>
- 27     11. Page 5, lines 19 and 20, by striking <or county  
28 attorney>
- 29     12. Page 5, line 33, by striking <or county attorney>
- 30     13. Page 6, line 24, by striking <twelve months> and  
31 inserting <ninety days>
- 32     14. Page 6, line 33, by striking <or county attorney>
- 33     15. By renumbering, redesignating, and correcting internal  
34 references as necessary.

S-5216 (Continued)

[S-5216](#) FILED APRIL 4, 2018

CONCURRED

SENATE FILE 481

S-5227

1 Amend the House amendment, S-5216, to Senate File 481, as  
2 amended, passed, and reprinted by the Senate, as follows:

3 1. Page 1, after line 32 by inserting:

4 <\_\_\_\_. Page 7, after line 18 by inserting:

5 <Sec. \_\_\_\_ NEW SECTION. 825.12 Local enforcement of federal  
6 immigration law.

7 1. Notwithstanding any other provision of this chapter,  
8 a county, a city, or any agency or employee thereof shall  
9 engage in an action to enforce federal immigration law  
10 only if, pursuant to statute, regulation, or memorandum of  
11 understanding, all of the following conditions have been met:

12 a. A federal agency has agreed to fully reimburse a county  
13 or city for any expenditures, including legal costs, incurred  
14 through enforcement of federal immigration law by the county  
15 or city.

16 b. A federal agency has agreed to defend a county or city in  
17 the event of any legal action taken against the county or city  
18 as a result of enforcement of any federal immigration law, and  
19 to fully indemnify the county or city for any liability imposed  
20 in the course of such a legal action.

21 2. Subsection 1 does not apply to an action by a county, a  
22 city, or any agency or employee thereof to comply with a court  
23 order or federal arrest warrant.

24 3. A county or city may submit a claim for reimbursement  
25 of any expenditures, including legal costs, incurred through  
26 enforcement of federal immigration law to the department of  
27 management. The department of management shall adopt rules  
28 pursuant to chapter 17A relating to the reimbursement of  
29 counties and cities pursuant to this section, including but not  
30 limited to rules for all of the following:

31 a. Procedures for submission, verification, and payment of  
32 claims by counties and cities for reimbursement pursuant to  
33 this section.

34 b. Acceptable documentation of expenditures, including legal  
35 costs, incurred through enforcement of federal immigration law.

S-5227 (Continued)

1     *c.* Appeal procedures for determinations made by the  
2 department pursuant to this section.>>  
3     2. By renumbering, redesignating, and correcting internal  
4 references as necessary.

By DAVID JOHNSON

[S-5227](#) FILED APRIL 4, 2018

LOST

SENATE FILE 481

S-5228

1 Amend the House amendment, S-5216, to Senate File 481, as  
2 amended, passed, and reprinted by the Senate, as follows:

3 1. Page 1, by striking lines 3 through 34 and inserting:

4 <\_\_\_\_. By striking everything after the enacting clause and  
5 inserting:

6 <Section 1. IMMIGRATION ENFORCEMENT WORK GROUP AND REPORT.

7 1. An immigration enforcement work group is created to make  
8 recommendations regarding the enforcement of immigration laws  
9 in this state. Such recommendations shall specifically address  
10 the following objectives:

11 a. Ensuring the public safety of all Iowa communities.

12 b. Enforcing immigration laws in this state, consistent  
13 with the Constitution of the United States and the Constitution  
14 of the state of Iowa and all applicable federal and state laws.

15 c. Identifying opportunities to educate communities in  
16 this state in order to balance the goals of complying with  
17 immigration laws in this state and ensuring that the rights of  
18 all immigrants who reside in this state are respected.

19 2. a. The work group shall consist of the following voting  
20 members:

21 (1) The director of the department of public safety, or the  
22 director's designee.

23 (2) The attorney general, or the attorney general's  
24 designee.

25 (3) A representative of the Iowa county attorneys  
26 association.

27 (4) A representative of the Iowa state police association.

28 (5) A representative of the Iowa police chiefs association.

29 (6) A representative of the Iowa state sheriffs' and  
30 deputies' association.

31 (7) The administrator of the division of criminal and  
32 juvenile justice planning of the department of human rights, or  
33 the administrator's designee.

34 b. The membership of the work group shall also include  
35 four members of the general assembly. The legislative members

S-5228 (Continued)

1 shall serve as ex officio, nonvoting members of the work group,  
2 with one member to be appointed by each of the following: the  
3 majority leader of the senate, the minority leader of the  
4 senate, the speaker of the house of representatives, and the  
5 minority leader of the house of representatives.

6 c. The work group shall elect a chairperson from among its  
7 voting members.

8 3. The work group shall submit its recommendations in a  
9 report to the governor and the general assembly no later than  
10 January 4, 2019.

11 Sec. 2. EFFECTIVE DATE. This Act, being deemed of immediate  
12 importance, takes effect upon enactment.>

13 \_\_\_\_\_. Title page, by striking lines 1 through 3 and inserting  
14 <An Act providing for an immigration enforcement work group and  
15 report and including effective date provisions.>>

16 2. By renumbering, redesignating, and correcting internal  
17 references as necessary.

By DAVID JOHNSON

S-5228 FILED APRIL 4, 2018

LOST

SENATE FILE 2320

S-5218

1 Amend Senate File 2320 as follows:

2 1. By striking everything after the enacting clause and  
3 inserting:

4 <DIVISION I

5 SELECTION OF COUNTY SUPERVISOR REPRESENTATION PLANS

6 Section 1. Section 331.206, subsection 2, paragraph a, Code  
7 2018, is amended to read as follows:

8 a. The plan used under subsection 1 shall be selected by the  
9 board or by a special election as provided in section 331.207.  
10 A plan selected by the board shall remain in effect for at  
11 least six years ~~unless it is~~ and shall only be changed by a  
12 special election as provided in section 331.207. However, a  
13 county with a population of sixty thousand or more based on the  
14 most recent federal decennial census shall use plan "three" for  
15 the election of supervisors.

16 Sec. 2. TRANSITION PROVISION. Notwithstanding any  
17 provision of law to the contrary, a county with a population  
18 of sixty thousand or more based on the most recent federal  
19 decennial census that does not use plan "three" for the  
20 election of supervisors, as defined in section 331.206, as  
21 of the effective date of this Act shall not be required to  
22 elect supervisors using plan "three" until the election for  
23 supervisors following the adoption of a representation plan  
24 drawn pursuant to section 331.210A, subsection 2, paragraph  
25 "f", after the redistricting of congressional and legislative  
26 districts becomes law following the federal decennial census  
27 taken in the year 2020.

28 DIVISION II

29 COUNTY SUPERVISOR REPRESENTATION DISTRICTING PLANS

30 Sec. 3. Section 68B.32A, subsection 16, Code 2018, is  
31 amended to read as follows:

32 16. Establish an expedited procedure for reviewing  
33 complaints forwarded by the state commissioner of elections  
34 to the board for a determination as to whether a supervisor  
35 district plan adopted pursuant to section 331.210A that differs



1 from a supervisor district plan prepared by the legislative  
2 services agency was drawn for improper political reasons  
3 as described in section 42.4, subsection 5. The expedited  
4 procedure shall be substantially similar to the process used  
5 for other complaints filed with the board except that the  
6 provisions of section 68B.32D shall not apply.

7 Sec. 4. Section 331.209, subsection 4, Code 2018, is amended  
8 to read as follows:

9 4. Each temporary county redistricting commission shall  
10 notify the state commissioner of elections when the boundaries  
11 of supervisor districts are changed, shall provide a map  
12 delineating the new boundary lines, and shall certify to  
13 the state commissioner of elections the populations of the  
14 new supervisor districts as determined under the latest  
15 federal decennial census. Upon failure of a temporary county  
16 redistricting commission to make the required changes by  
17 the dates specified by this section and sections 331.203  
18 and 331.204 as determined by the state commissioner of  
19 elections, the state commissioner of elections shall make or  
20 cause to be made the necessary changes as soon as possible,  
21 and shall assess to the county the expenses incurred in so  
22 doing. ~~The~~ Except for a representation plan drawn pursuant  
23 to section 331.210A, subsection 2, paragraph "f", the state  
24 commissioner of elections may request the services of personnel  
25 and materials available to the legislative services agency  
26 to assist the state commissioner in making required changes  
27 in supervisor district boundaries which become the state  
28 commissioner's responsibility.

29 Sec. 5. Section 331.210A, subsection 2, paragraph f,  
30 subparagraph (1), Code 2018, is amended to read as follows:

31 (1) ~~(a) Notwithstanding the provisions of this section~~  
32 ~~to the contrary, for~~ For purposes of this paragraph "f",  
33 "qualifying county" means a county that elects supervisors  
34 under plan "three" as defined in section 331.206, or a county  
35 with a population of one hundred eighty thousand or more that

1 has adopted a charter for a city-county consolidated form of  
2 government or a community commonwealth form of government and  
3 which charter provides for representation by districts<sub>7</sub>.

4 (b) Notwithstanding any provision of this section to the  
5 contrary, for a qualifying county, the legislative services  
6 agency, and not the temporary county redistricting commission,  
7 shall draw a representation plan as provided by paragraph "a"  
8 pursuant to a contract executed with the county.

9 (c) A county subject to the requirements of this paragraph  
10 "f" shall notify the state commissioner of elections that a  
11 representation plan to be drawn pursuant to this paragraph  
12 "f" is required and shall submit to the state commissioner  
13 of elections the precinct plan to be used to draw the  
14 representation plan. Upon notification and submission of a  
15 precinct plan, the state commissioner of elections shall review  
16 and approve the precinct plan to be used. Following approval  
17 of the precinct plan to be used, the state commissioner  
18 of elections shall notify the legislative council which  
19 shall direct the legislative services agency to prepare a  
20 representation plan for the county.

21 (d) The plan drawn by the legislative services agency  
22 shall be based upon the precinct plan adopted and approved  
23 for use by the county and shall be drawn in accordance with  
24 section 42.4, to the extent applicable. After the legislative  
25 services agency has drawn the plan, the legislative services  
26 agency shall at the earliest feasible time make available to  
27 the public all of the information required to be made public  
28 by paragraph "b".>

29 2. Title page, by striking lines 1 and 2 and inserting <An  
30 Act concerning county supervisor representation and districting  
31 plans.>

By MARK CHELGREN

**S-5218 (Continued)**

**ADOPTED**

SENATE FILE 2394

S-5219

- 1 Amend Senate File 2394 as follows:
- 2 1. Page 2, line 18, by striking <sixty-seven> and inserting
- 3 <fifty-nine>
- 4 2. Page 2, line 21, by striking <thirty-three> and inserting
- 5 <forty-one>
- 6 3. Page 7, line 13, by striking <twenty-five> and inserting
- 7 <twenty>
- 8 4. Page 7, line 15, by striking <seventy-five> and inserting
- 9 <eighty>
- 10 5. Page 9, after line 14 by inserting:
- 11 <Sec. \_\_\_\_\_. STUDY ON PRO HAC VICE ATTORNEY FEE. The judicial
- 12 branch shall conduct a study to determine whether the amount of
- 13 the current fee to appear pro hac vice is appropriate. If the
- 14 judicial branch determines that the fee the appear pro hac vice
- 15 is not appropriate, the judicial branch shall adjust the fee
- 16 accordingly.>
- 17 6. Page 9, by striking lines 22 through 26.
- 18 7. Page 11, by striking lines 8 through 23.
- 19 8. By striking page 11, line 34, through page 12, line 6.
- 20 9. Page 12, line 16, after <exceeds> by inserting <the limit
- 21 of>
- 22 10. Page 15, line 20, by striking ~~<, subparagraph (2)>~~ and
- 23 inserting <, subparagraph (2)>
- 24 11. Page 15, line 32, by striking <sections> and inserting
- 25 ~~<sections~~ section>
- 26 12. Page 15, line 33, by striking <321.383, and> and
- 27 inserting <section 321.383, subsection 5, and section>
- 28 13. Page 18, line 25, by striking <a.>
- 29 14. By striking page 18, line 31, through page 19, line 1,
- 30 and inserting:
- 31 <11. a. Emergency vehicle and equipment-related
- 32 violations. For emergency vehicle violations relating to
- 33 authorized emergency vehicles, fire apparatus and equipment,
- 34 and police bicycles under the following sections, the scheduled
- 35 fine is as follows:>

1 15. Page 19, line 2, by striking <a.> and inserting <a-  
2 (1)>

3 16. Page 19, line 3, by striking <b.> and inserting <b-  
4 (2)>

5 17. Page 19, line 3, by striking <321.323A> and inserting  
6 <321.323A, subsection 1>

7 18. Page 19, line 4, by striking <c.> and inserting <c-  
8 (3)>

9 19. Page 19, line 5, by striking <d.> and inserting <d-  
10 (4)>

11 20. Page 19, line 6, by striking <e.> and inserting <e-  
12 (5)>

13 21. Page 19, after line 6 by inserting:

14 <b. Violations relating to stationary nonemergency  
15 vehicles. For violations relating to the approach of certain  
16 stationary nonemergency vehicles under section 321.323A,  
17 subsections 2 and 2A, the scheduled fine is one hundred thirty  
18 dollars.>

19 22. Page 20, by striking lines 15 and 16 and inserting:

20 <b. For a violation under section 321.449, or 321.449A, or  
21 321.449B, the scheduled fine is fifty sixty-five dollars.>

22 23. Page 22, by striking lines 29 and 30.

23 24. Page 22, line 31, by striking <q.> and inserting <p.>

24 25. Page 34, after line 10 by inserting:

25 <DIVISION \_\_\_\_

26 CRIMINALISTICS LABORATORY FUND

27 Sec. \_\_\_\_\_. Section 691.9, Code 2018, is amended to read as  
28 follows:

29 **691.9 Criminalistics laboratory fund.**

30 A criminalistics laboratory fund is created as a separate  
31 fund in the state treasury under the control of the department  
32 of public safety. The fund shall consist of appropriations  
33 made to the fund and transfers of interest, moneys collected  
34 from the crime services surcharge established in section 911.1,  
35 and earnings. All moneys in the fund are appropriated to

S-5219 (Continued)

1 the department of public safety for use by the department in  
2 criminalistics laboratory equipment and supply purchasing,  
3 maintenance, depreciation, the department of administrative  
4 services utility service fee for the criminalistics laboratory  
5 facility in Ankeny, and training. Any balance in the fund on  
6 June 30 of any fiscal year shall not revert to any other fund of  
7 the state but shall remain available for the purposes described  
8 in this section.>  
9 26. By renumbering, redesignating, and correcting internal  
10 references as necessary.

By DAN DAWSON

[S-5219](#) FILED APRIL 4, 2018

ADOPTED

SENATE FILE 2394

S-5223

- 1 Amend Senate File 2394 as follows:
- 2 1. Page 8, lines 4 and 5, by striking <one two hundred
- 3 ~~eighty-five~~ five> and inserting <one hundred eighty-five>

By ROBERT M. HOGG

S-5223 FILED APRIL 4, 2018

ADOPTED

SENATE FILE 2394

S-5224

- 1 Amend Senate File 2394 as follows:
- 2 1. Page 7, line 31, by striking <twenty>

By ROBERT M. HOGG

S-5224 FILED APRIL 4, 2018

ADOPTED



SENATE FILE 2394

S-5225

1 Amend the amendment, S-5219, to Senate File 2394 as follows:  
2 1. Page 1, by striking lines 6 through 9 and inserting:  
3 <\_\_\_\_. Page 7, by striking lines 10 through 17 and inserting:  
4 <b. For filing and docketing a petition for dissolution of  
5 marriage, one hundred eighty-five dollars.>  
6 \_\_\_\_\_. Page 7, line 20, by striking <twenty>  
7 \_\_\_\_\_. Page 7, line 25, by striking <twenty>  
8 \_\_\_\_\_. Page 7, by striking lines 26 through 29 and inserting:  
9 <d. For entering a final decree of dissolution of marriage,  
10 fifty dollars. It is the intent of the general assembly that  
11 the funds generated from the dissolution fees be appropriated  
12 and used for sexual assault and domestic violence centers.>>  
13 2. By renumbering as necessary.

By ROBERT M. HOGG

S-5225 FILED APRIL 4, 2018

LOST

SENATE FILE 2398

S-5215

- 1 Amend Senate File 2398 as follows:
- 2 1. Page 4, by striking lines 27 through 29.
- 3 2. By renumbering as necessary.

By TOM SHIPLEY

S-5215 FILED APRIL 4, 2018

ADOPTED

SENATE FILE 2398

S-5220

- 1 Amend Senate File 2398 as follows:
- 2 1. Page 11, after line 19 by inserting:
- 3 <\_\_\_\_. A licensee must regularly test the industrial hemp
- 4 to ensure that the industrial hemp does not exceed the maximum
- 5 concentration of delta-9 tetrahydrocannabinol as provided in
- 6 section 188.8.>
- 7 2. Page 21, line 9, by striking <destruction> and inserting
- 8 <destruction, including any accompanying disposal,>
- 9 3. Page 21, by striking line 30 and inserting <shall be
- 10 accomplished in a manner that complies with requirements of the
- 11 department and shall be in accordance with applicable federal
- 12 law.>
- 13 4. By renumbering, redesignating, and correcting internal
- 14 references as necessary.

By TOM SHIPLEY

S-5220 FILED APRIL 4, 2018

ADOPTED

HOUSE AMENDMENT TO SENATE AMENDMENT TO  
TO HOUSE FILE 2234

S-5229

1     Amend the Senate amendment, H-8264, to House File 2234, as  
2 passed by the House, as follows:

3     1. Page 1, after line 1 by inserting:

4     <\_\_\_\_. Page 1, after line 32 by inserting:

5     <Sec. \_\_\_\_\_. Section 615.1A, Code 2018, is amended to read as  
6 follows:

7     **615.1A Execution on judgment — claim for rent.**

8     After the expiration of a period of ~~five~~ ten years from the  
9 date of entry of judgment of a court not of record, or twenty  
10 years from the date of entry of judgment of a court of record,  
11 in an action on a claim for rent, exclusive of any time during  
12 which execution on the judgment was stayed pending a bankruptcy  
13 action or order of court, such judgment shall be null and void,  
14 all liens shall be extinguished, and no execution shall be  
15 issued. However, in the event that the judgment or the right  
16 to collect thereon is sold or otherwise assigned for value to  
17 a third party other than a state or federally chartered bank  
18 or credit union, such judgment shall be null and void, all  
19 liens shall be extinguished, and no execution shall be issued  
20 after the expiration of two years from the date of entry of  
21 the judgment, exclusive of any time during which execution on  
22 the judgment was stayed pending a bankruptcy action or order  
23 of court.>>

24     2. Page 1, after line 15 by inserting:

25     <\_\_\_\_. Title page, line 3, after <property> by inserting <and  
26 relating to the statute of limitations period for executing  
27 judgments on claims for rent>>

28     3. By renumbering as necessary.

S-5229   FILED APRIL 4, 2018

HOUSE FILE 2280

S-5222

1 Amend House File 2280, as amended, passed, and reprinted by  
2 the House, as follows:

3 1. By striking everything after the enacting clause and  
4 inserting:

5 <Section 1. Section 256.7, subsection 3, Code 2018, is  
6 amended to read as follows:

7 3. Prescribe standards and procedures for the approval of  
8 practitioner preparation programs and professional development  
9 programs offered in this state by practitioner preparation  
10 institutions located within or outside this state and by  
11 area education agencies. Procedures provided for approval  
12 of programs shall include procedures for enforcement of  
13 the prescribed standards and, except as provided in section  
14 256.16, subsection 1, paragraph "a", subparagraph (2),  
15 subparagraph division (b), shall not include a procedure for  
16 the waiving of any of the standards prescribed. The board may  
17 establish by rule and collect from practitioner preparation  
18 institutions located outside this state an amount equivalent  
19 to the department's necessary travel and actual expenses  
20 incurred while engaged in the program approval process for the  
21 institution located outside this state. Amounts collected  
22 under this subsection shall be deposited in the general fund  
23 of the state.

24 Sec. 2. Section 256.16, subsection 1, paragraph a,  
25 subparagraph (2), Code 2018, is amended to read as follows:

26 (2) (a) Administer, prior to a student's completion of the  
27 practitioner preparation program and subject to the director's  
28 approval, subject assessments designed by a nationally  
29 recognized testing service that measure pedagogy and knowledge  
30 of at least one subject area; or, a valid and reliable  
31 subject-area-specific, performance-based assessment for  
32 preservice teacher candidates, centered on student learning.  
33 A student shall not successfully complete the program unless  
34 the scores achieved by the student achieves scores on the  
35 assessments administered under this subparagraph are at or

1 ~~above the twenty-fifth percentile nationally on the assessments~~  
2 ~~administered pursuant to this subparagraph~~ minimum passing  
3 scores set by the department. To determine the minimum passing  
4 scores for purposes of this subparagraph, the department  
5 shall use the recommended scores which are determined by the  
6 assessment provider through a validated standard setting  
7 process.

8 (b) The state board shall adopt rules to provide that  
9 the director shall waive the assessment requirements of  
10 subparagraph division (a) for one year for a person who has  
11 completed the course requirements for an approved practitioner  
12 preparation program but attained an assessment score below the  
13 minimum scores set by the department for successful completion  
14 of the program under subparagraph division (a).

15 (c) The board of educational examiners shall adopt rules  
16 under chapter 17A to create an initial one-year license for  
17 an applicant who obtains a waiver issued by the director in  
18 accordance with subparagraph division (b) and presents the  
19 waiver within thirty days of issuance to the board or who  
20 attended and successfully completed a practitioner preparation  
21 program outside of this state and has met all other application  
22 requirements with the exception of the assessment score  
23 achievement requirements of subparagraph division (a). Such an  
24 applicant must provide an affidavit from the administrator of  
25 a school district or an accredited nonpublic school verifying  
26 that an offer of a teaching contract has been made and the  
27 school district or accredited nonpublic school has made every  
28 reasonable and good-faith effort to employ a teacher licensed  
29 under chapter 272 for the specified subject and is unable to  
30 employ such a teacher.

31 Sec. 3. Section 256.16, subsection 2, Code 2018, is amended  
32 to read as follows:

33 2. A person initially applying for a license shall  
34 successfully complete a professional education program  
35 containing the subject matter specified in this section, before

1 the initial action by the board of educational examiners takes  
2 place. However, this subsection shall not apply to a person  
3 who meets the requirements for an initial one-year license in  
4 accordance with subsection 1, paragraph "a", subparagraph (2),  
5 subparagraph division (c).

6 Sec. 4. Section 272.2, subsection 14, paragraph b,  
7 subparagraph (5), Code 2018, is amended to read as follows:

8 (5) The applicant fails to meet board standards for  
9 application for an initial or renewed license. However, this  
10 subparagraph shall not apply to a person who applies for an  
11 initial one-year license and submits to the board a waiver  
12 issued by the director of the department in accordance with  
13 section 256.16.>

14 2. Title page, by striking lines 1 through 3 and inserting  
15 <An Act relating to assessment scores set by the department  
16 of education for successful completion of a practitioner  
17 preparation program and for initial teacher licensure and  
18 providing for related matters.>

By TOD R. BOWMAN

HOUSE FILE 2372

S-5221

1 Amend House File 2372, as amended, passed, and reprinted by  
2 the House, as follows:

3 1. Page 1, by striking lines 9 through 24 and inserting  
4 <special election as provided in section 331.207.

5 Sec. \_\_\_\_\_. Section 331.207, Code 2018, is amended by adding  
6 the following new subsection:

7 NEW SUBSECTION. 5A. Notwithstanding any provision of this  
8 section to the contrary, a county with a population of sixty  
9 thousand or more based on the most recent federal decennial  
10 census that elects supervisors under plan "three" shall not  
11 change from plan "three" to plan "one" or plan "two" pursuant  
12 to a special election under this section unless a plan "one" or  
13 plan "two" representation plan is adopted by a two-thirds vote  
14 of the ballots cast in the special election.>

15 2. By renumbering as necessary.

By MARK CHELGREN

S-5221 FILED APRIL 4, 2018

WITHDRAWN



HOUSE FILE 2372

S-5226

1 Amend House File 2372, as amended, passed, and reprinted by  
2 the House, as follows:

3 1. Page 1, by striking lines 9 through 24 and inserting  
4 <special election as provided in section 331.207.

5 Sec. \_\_\_\_\_. Section 331.207, Code 2018, is amended by adding  
6 the following new subsection:

7 NEW SUBSECTION. 5A. Notwithstanding any provision of this  
8 section to the contrary, a county with a population of sixty  
9 thousand or more based on the most recent federal decennial  
10 census that elects supervisors under plan "three" shall not  
11 change from plan "three" to plan "one" or plan "two" pursuant  
12 to a special election under this section unless a plan "one" or  
13 plan "two" representation plan is adopted by a two-thirds vote  
14 of the ballots cast in the special election.>

15 2. Page 3, after line 25 by inserting:

16 <DIVISION \_\_\_\_  
17 EFFECTIVE DATE

18 Sec. \_\_\_\_\_. EFFECTIVE DATE. This Act, being deemed of  
19 immediate importance, takes effect upon enactment.>

20 3. Title page, line 2, after <plans> by inserting <and  
21 including effective date provisions>

22 4. By renumbering as necessary.

By MARK CHELGREN

S-5226 FILED APRIL 4, 2018

ADOPTED

HOUSE FILE 2442

S-5217

- 1 Amend House File 2442, as amended, passed, and reprinted by  
2 the House, as follows:
- 3 1. Page 2, by striking lines 2 through 8 and inserting  
4 <recovered.>
- 5 2. Page 2, after line 15 by inserting:  
6 <0c. "Emergency medical care provider" means the same as  
7 defined in section 147A.1.>
- 8 3. Page 2, line 16, after <any> by inserting <dance or  
9 cheerleading activity or>
- 10 4. Page 2, lines 17 and 18, by striking <practice, including  
11 sports, dance, or cheerleading> and inserting <practice  
12 governed by the Iowa high school athletic association or the  
13 Iowa girls high school athletic union that is a contact or  
14 limited contact activity as identified by the American academy  
15 of pediatrics>
- 16 5. By striking page 2, line 34, through page 3, line 1, and  
17 inserting <Iowa high school athletic association or the Iowa  
18 girls high school athletic union, as applicable.>
- 19 6. Page 3, line 14, by striking <Annually,> and inserting  
20 <For school years beginning on or after July 1, 2018,>
- 21 7. Page 3, line 15, after <student> by inserting <in grades  
22 seven through twelve>
- 23 8. Page 3, line 25, after <provider> by inserting <or an  
24 emergency medical care provider>
- 25 9. Page 3, line 34, by striking <the> and inserting <a>
- 26 10. By striking page 3, line 35, through page 4, line 15,  
27 and inserting:  
28 <6. *Return-to-play protocol and return-to-learn plans.*  
29 a. The department of public health, in cooperation with the  
30 Iowa high school athletic association and the Iowa girls high  
31 school athletic union, shall develop a return-to-play protocol  
32 based on peer-reviewed scientific evidence consistent with the  
33 guidelines of the centers for disease control and prevention  
34 of the United States department of health and human services,  
35 for a student's return to participation in an extracurricular

1 interscholastic activity after showing signs, symptoms, or  
2 behaviors consistent with a concussion or brain injury. The  
3 department of public health shall adopt the return-to-play  
4 protocol by rule pursuant to chapter 17A. The board of  
5 directors of each school district and the authorities in charge  
6 of each accredited nonpublic school with enrolled students who  
7 participate in an extracurricular interscholastic activity  
8 which is a contest in grades seven through twelve shall adopt  
9 such protocol by July 1, 2019.

10     *b.* Personnel of a school district or accredited nonpublic  
11 school with enrolled students who participate in an  
12 extracurricular interscholastic activity which is a contest in  
13 grades seven through twelve shall develop a return-to-learn  
14 plan based on guidance developed by the brain injury  
15 association of America in cooperation with a student removed  
16 from participation in an extracurricular interscholastic  
17 activity and diagnosed with a concussion or brain injury, the  
18 student's parent or guardian, and the student's licensed health  
19 care provider to accommodate the student as the student returns  
20 to the classroom.>

21     11. Page 4, line 32, by striking <fully implements the  
22 protocols> and inserting <adopts and follows the protocol>

23     12. Page 4, line 33, after <provides> by inserting <an  
24 emergency medical care provider or>

25     13. Page 4, line 33, after <contest> by inserting <that  
26 is a contact or limited contact activity as identified by the  
27 American academy of pediatrics>

28     14. Page 4, line 35, after <of> by inserting <the emergency  
29 medical care provider or>

30     15. Page 5, line 2, after <as> by inserting <the emergency  
31 medical care provider or>

32     16. Page 5, line 7, after <school.> by inserting <A school  
33 district or accredited nonpublic school shall not be liable for  
34 any claim for injuries or damages if an emergency medical care  
35 provider or a licensed health care provider who was scheduled

S-5217 (Continued)

1 to be present and available at a contest is not able to be  
2 present and available due to unforeseen circumstances and  
3 the school district or accredited nonpublic school otherwise  
4 followed the protocol.>

5 17. Page 5, line 8, by striking <A> and inserting <An  
6 emergency medical care provider or a>

7 18. Page 5, line 11, after <as> by inserting <the emergency  
8 medical care provider or>

9 19. Page 5, by striking lines 17 through 26.

10 20. Page 5, before line 27 by inserting:

11 <Sec. \_\_\_\_ . IMPLEMENTATION OF RULES. If the rules required  
12 to be adopted by the department of public health pursuant to  
13 section 280.13C, subsection 6, as enacted by this Act, have not  
14 become effective as of July 1, 2019, the board of directors  
15 of each school district and the authorities in charge of  
16 each accredited nonpublic school with enrolled students who  
17 participate in an extracurricular interscholastic activity  
18 which is a contest in grades seven through twelve shall adopt  
19 the return-to-play protocol as soon as practicable after such  
20 rules become effective.>

21 21. By renumbering, redesignating, and correcting internal  
22 references as necessary.

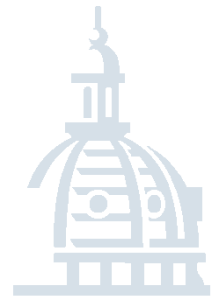
By AMY SINCLAIR

S-5217 FILED APRIL 4, 2018

ADOPTED

# Fiscal Note

*Fiscal Services Division*



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**SF 2398** – Industrial Hemp (LSB2172SV)

Analyst: Debra Kozel (515.281.6767) [deb.kozel@legis.iowa.gov](mailto:deb.kozel@legis.iowa.gov)

Fiscal Note Version – New

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## **Description**

[Senate File 2398](#) creates the Iowa Industrial Hemp Act that authorizes the production and marketing of industrial hemp in Iowa in compliance with federal law. The Bill creates two commodity programs: the Industrial Hemp Commodity Program, administered by the Department of Agriculture and Land Stewardship (DALs), and the Industrial Hemp Production Program, administered by a Board of Regents institution.

The Bill creates an industrial hemp council comprised of public members and representatives of government entities, and four nonvoting legislative members. The DALs is required to submit an annual report to the Governor and General Assembly evaluating the success of the two programs.

Violators of provisions of the Bill are subject to civil and/or criminal penalties.

## **Background**

[Section 7606](#) of H.R. 2642 (2014 Farm Bill) allows universities and state departments of agriculture to begin cultivating industrial hemp for limited purposes of research conducted in an agricultural pilot program. The Farm Bill also specifies that participating states must enact laws that allow for the growing or cultivating of industrial hemp.

The U.S. Department of Agriculture, in consultation with the federal Drug Enforcement Agency (DEA) and the U.S. Food and Drug Administration, released a [Statement of Principles on Industrial Hemp](#) in the Federal Register on August 12, 2016.

The [National Conference of State Legislatures](#) (NCSL) reports that 34 states have passed legislation related to the production of industrial hemp and that 27 states have passed laws creating or allowing for the establishment of industrial hemp research plots or pilot programs to study the cultivation, processing, and economics of industrial hemp.

## **Fiscal Impact**

The estimated fiscal impact of [SF 2398](#) is approximately \$161,000 in FY 2019 and \$91,000 in FY 2020 and each year thereafter.

## **Department of Agriculture and Land Stewardship**

The Department would incur an annual cost of \$91,000 and 1.00 FTE position to implement the Industrial Hemp Commodity Program. This includes salary, benefits, and support expenditures. As the Program is phased in to mainstream operations, the costs for the 1.00 FTE position could decrease.

The Department would incur estimates one-time costs of \$70,000 for equipment. Examples of the specific equipment needed for industrial hemp production include:

- Geno/Grinder (takes samples of plant tissue).
- Sieves (removes impurities from test samples).
- Knifetec Sample Mill (grinds samples without moisture loss).
- Desiccators (sealed containers that absorb moisture).

#### **Department of Public Safety**

The Department of Public Safety has identified costs of \$30 to \$50 for obtaining fingerprints and a background check for an industrial hemp grower applicant. These costs would be paid for by the applicant.

#### **Correctional Impact**

The correctional impact of [SF 2398](#) is expected to be minimal. A person who knowingly or intentionally produces the hemp plant and is not DALS, a registrant, or a licensee participating in one of the two authorized programs is subject to the criminal penalties in Iowa Code chapters [124](#) and [453B](#).

#### **Sources**

Department of Agriculture and Land Stewardship  
Department of Public Safety

/s/ Holly M. Lyons

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April 3, 2018

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The fiscal note for this Bill was prepared pursuant to Joint Rule 17 and the Iowa Code. Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.

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